

Cranbury Township Ordinance 06-08-16

**TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF CHAPTER 5,
ENTITLED "POLICE DEPARTMENT", OF THE CODE OF THE TOWNSHIP OF
CRANBURY**

BE IT ORDAINED by the Township Committee of the Township of Cranbury that Chapter 5, Police Department, of the Cranbury Township Code is hereby amended as follows [additions underlined; deletions]:

Section 1. Section 5-1, Establishment of Department, is hereby amended to read as follows:

§ 5-1. Establishment of Department.

There is hereby established and continued in and for the Township a Department of Police, also known as the Cranbury Police Department, consisting of a Chief of Police, up to two Captains, up to two Lieutenants, up to six Sergeants and up to 20 patrol officers as shall be determined from time to time by the Township Committee. All sworn officers, i.e., the Chief, Lieutenants, Captain, Sergeants and patrol officers (probationary and permanent), may be referred to as "members." New members are sworn officers who are serving during the first year of their initial appointment. In addition, the Police Department may be supported by civilian employees, including police dispatchers, a public safety technician, up to two administrative assistants, a police records Clerk, a secretary and a Clerk/typist. The responsibilities of the members and civilian employees shall be as set forth in this chapter and the rules and regulations adopted pursuant to § 5-6 of this chapter. Any member or civilian employee (if applicable) of the Police Department may be assigned to patrol, investigative, traffic, detective/plainclothes, administrative or other tasks as determined by the Chief of Police.

Section 2. Section 5-4, Appointment of members; qualifications; residency; duties; compensation, is hereby amended to read as follows:

§ 5-4. Probationary appointment of new members and candidates for promotion ; qualifications; residency; duties; compensation; promotion to sergeant, lieutenant and captain

A. New members shall be initially appointed and all candidates for any office shall be appointed by the Township Committee to serve in a probationary capacity for a period of one year from the date of appointment except when, pursuant to N.J.S.A. 52:17B-69,

said one-year limit may be exceeded. For the purpose of this chapter, members who have probationary appointments shall not be considered to have been permanently appointed to the new office until their appointment has been made permanent by further resolution of the Township Committee.

- B. Candidates shall be drawn from an eligibility list established through applications, review, interviews and thorough background investigations conducted by the Chief of Police. Candidates for and members of the Police Department shall have all other qualifications prescribed by law, including but not limited to N.J.S.A. 40A:14-122.
- C. Every member of the Police Department shall be a resident of the State of New Jersey while serving in such position, as required by N.J.S.A. 40A:14-122.8. New members appointed shall be residents of the State of New Jersey at the time of their appointment and thereafter, unless otherwise qualified by reason of service in the armed services of the United States as provided by N.J.S.A. 40A:14-123.1.
- D. Members of the Police Department shall have the powers and duties prescribed by law and shall be subject to the rules and regulations of the Department and all other applicable ordinances of the Township.
- E. Members shall be paid in accordance with the annual Salary Resolution within the guidelines set forth in the Salary Ordinance, or any applicable collective bargaining agreement.
- F. No person shall be appointed or promoted to a command or supervisory position above patrol officer unless he or she shall have demonstrated an aptitude for such position. Notices of promotional opportunities to sergeant, lieutenant and captain shall be posted and promulgated by the Chief of Police in accordance with procedures set forth in the Police Rules and Regulations.

Successful candidates for these positions shall be assigned by the Chief to perform the duties of the new position for a trial period of up to six months, as determined by the Chief. There shall be no title or compensation change during the trial period.

Before or at the end of the trial period, the Chief will determine whether or not to recommend the candidate to the Township Committee for promotion. If the Township Committee promotes the candidate, the promotion shall be subject to a 12-month probationary status under which the officer shall be given the title and compensation of the office and during which the Chief may return the officer to the lesser rank without notice or hearing. A promotion shall be made permanent by the Township Committee after successful completion of the probationary period.

Section 3. Paragraph A of Section 5-7, Removal; suspension; reduction in rank; disciplinary action, is hereby amended to read as follows:

§ 5-7. Removal; suspension; reduction in rank; disciplinary action.

- A. In accordance with N.J.S.A. 40A:14-147 et seq., no permanent member or officer of the Police Department shall be removed, suspended or reduced in rank from or in office, employment or position, or fined for political reasons or for any cause other than incapacity, misconduct or disobedience of the rules and regulations established for the government of the Department, and then only upon action by the appropriate

authority and written complaint setting forth the charge or charges against each member, which shall be signed by the Chief or designee. This complaint shall be filed in the office of the Chief of Police, and a copy thereof shall be served upon such member with notice of a designated hearing thereon by the appropriate authority. The hearing shall be not less than 10 nor more than 30 days after the service of the complaint; the appropriate authority and the member may agree to reasonable postponements. The member against whom a complaint is made shall be given every reasonable opportunity to make any defense the member has or chooses to make during the hearing by the appropriate authority.

Section 4. **Repealer.** All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.

Section 5. **Severability.** If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause, or provision so adjudged and the remainder of this Ordinance shall be deemed valid and enforceable.

Section 6. **Effective date.** This Ordinance shall take effect upon final adoption and publication in accordance with law.

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Cranbury, in the County of Middlesex, State of New Jersey, held on June 23, 2008. It will be further considered for final passage, after a public hearing thereon, at a meeting of the governing body to be held in the meeting room of Town Hall, 23-A North Main Street, in the Township of Cranbury on July 14, 2008 at 7:00 p.m., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

Kathleen R. Cunningham, Clerk